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REMARKS

Claims 1-9, 13-18, and 30-38 remain pending.

In the Office Action, the Examiner objected to the drawings; objected to the specification; rejected claims 1-3, 13, 16-18, and 30-32 under 35 U.S.C. § 103(a) as unpatentable over Dekel et al. (U.S. Patent No. 6,314,452) in view of Das et al. (U.S. Patent No. 5,896,176); rejected claims 4-6 and 33-35 under 35 U.S.C. § 103(a) as unpatentable over Koyanagi et al. (U.S. Patent No. 5,557,32) in view of Das et al.; rejected claims 7-9 and 33-36 under 35 U.S.C. § 103(a) as unpatentable over Krishnamurthy et al. (U.S. Patent No. 6,496,607); rejected claim 14 under 35 U.S.C. § 103(a) as unpatentable over Dekel et al. in view of Das et al. and further in view of Koyanagi et al.; and implied¹ that claim 15 would be allowable if rewritten in independent form.

The objection to the drawings has been obviated by the replacement Figs. 2 and 10 filed concurrently herewith.

The changes to the specification above obviate the first, third, and fourth objections to the specification, and the change to Fig. 2 obviates the second objection to the specification.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success.

¹ Although the Examiner did not state such, claim 15 is listed on the summary sheet as objected to, and it is not rejected over art in pages 3-8 of the Office Action. Applicant respectfully requests clarification of claim 15's status in the next Office Action.

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Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See M.P.E.P. § 2143.

Claims 1-3, 13, 14, 16-18, and 30-32:

Applicant respectfully traverses the § 103(a) rejection of claims 1-3, 13, 14, 16-18, and 30-32 over Dekel et al. in view of Das et al.. Independent claims 1 and 30 require a method and medium including, *inter alia*, "defining a spatial location across a series of pictures of an MPEG stream; and for each picture of the series of pictures in the MPEG stream, partially decoding the picture to determine an area of the picture falling within the spatial location." Independent claim 13 requires a method including, *inter alia*, "decoding a picture from an MPEG stream; and selecting a Region of Interest in the picture." The combination of Dekel et al. and Das et al., even if it were proper, fails to teach or suggest all elements of the claimed methods and medium.

Page 3 of the Office Action alleges that Fig. 2 and col. 4, lines 30-36, of Dekel et al. teaches or suggests "defining a spatial location across a series of pictures of an MPEG stream" as set forth in claims 1 and 30. These portions of Dekel et al., however, do not teach or suggest that which is claimed. Rather, Dekel et al. discloses only compressing a region of interest (ROI) of a single image. See col. 4, lines 21-23, ("the user then selects . . . *an image* residing on the image file storage device"); col. 4, lines 35 and 36, ("for a 75M RGB (*color*) image"); and col. 4, lines 51 and 52, ("which identifies a progressive transmission of any ROI *of the image* essentially in real-time") (emphasis added in each). Dekel et al. does not teach or suggest that the single image is part of a series of pictures or that it is part of an MPEG stream. Hence, Dekel et al. fails to

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teach or suggest “defining a spatial location across a series of pictures of an MPEG stream” as required by claims 1 and 30.

Regarding claim 13, page 4 of the Office Action alleges that the claimed “decoding a picture from an MPEG stream” is taught or suggested by col. 8, lines 62-64, of Dekel et al. This portion of Dekel et al., however, provides only the following:

The decoder, upon receiving data blocks, decodes them and reconstructs approximations of the original subband coefficients.

As is clear from this text, this cited portion of Dekel et al. discusses only “data blocks” and does not teach or suggest “an MPEG stream” as set forth in claim 13. Indeed, Dekel et al. later discloses in col. 12, line 65, though col. 13, line 10, that the decoding algorithm discussed in col. 8 is for a single image (e.g., at col. 13, line 4-6, “Similar to the encoding algorithm, the decoding algorithm is described for *an image* with one component” (emphasis added)). Hence, Dekel et al. fails to teach or suggest “decoding a picture from an MPEG stream” as required by claim 13.

Further with regard to claim 13, there is no teaching or suggestion in Fig. 2 or col. 4, lines 30-36, of Dekel et al. that “the picture” for which the ROI is selected is “from an MPEG stream” as required by claim 13. See the above explanation on this point with respect to claims 1 and 30. Hence, Dekel et al. also fails to teach or suggest “selecting a Region of Interest in the picture” as required by claim 13.

Returning to claims 1 and 30, page 4 of the Office Action alleges that Figs. 5a-5g and col. 12, lines 9-19, of Das et al. teach or suggest “for each picture of the series of pictures in the MPEG stream, partially decoding the picture” as claimed. Contrary to the allegation on page 4 of the Office Action, col. 12, line 13, of Das et al. clearly discloses that the decomposition is

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performed by “[an] encoder.” See also col. 4, line 14, which indicates that Figs. 5a-5g “illustrate boundary contour encoding.” Thus, the cited portion of Das et al. fails to teach or suggest “for each picture of the series of pictures in the MPEG stream, partially decoding the picture” as required by claims 1 and 30.

Because the combination of Dekel et al. and Das et al. fails to teach or suggest all elements of independent claims 1, 13, and 30, a *prima facie* case of obviousness has not been established for these claims.

A *prima facie* case of obviousness also has not been established for claims 1, 13, and 30, because no motivation or suggestion has been shown to combine Dekel et al. and Das et al. Page 4 of the Office Action proposes only that the combination would “improve[] video quality,” which is an unsupported conclusion. No evidence from either reference or other technical reasoning has been provided to support this conclusion. Without any supporting evidence or facts, a *prima facie* case of obviousness cannot be established. See M.P.E.P. § 2142 (“The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness.”). A *prima facie* case of obviousness also has not been established for claims 1, 13, and 30 for at least this additional reason.

Because a *prima facie* case of obviousness has not been established for claims 1, 13, and 30, the § 103(a) rejections of claims 1, 13, and 30 are improper and should be withdrawn. Claims 2, 3, 17, 18, 31, and 32 are allowable at least by virtue of their dependency from claims 1, 13, and 30.

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Regarding the rejection of claim 14, the addition of Koyanagi et al. fails to cure the deficiencies in Dekel et al. and Das et al. noted above with respect to claim 13. Koyanagi et al. also fails to teach or suggest selecting a Region of Interest in a picture from a decoded MPEG stream as set forth in claim 13, and its addition cannot establish a *prima facie* case of obviousness for this claim.

Claims 4-6 and 33-35:

Applicant respectfully traverses the § 103(a) rejection of claims 4-6 and 33-35 over Koyanagi et al. in view of Das et al.. Independent claims 4 and 33 require a method and medium including, *inter alia*, “decoding at least the set of slices but not the plurality of slices into a plurality of macroblocks having a set of macroblocks within the area; and decoding at least the set of macroblocks but not the plurality of macroblocks into pixels.” The combination of Koyanagi et al. and Das et al., even if it were proper, fails to teach or suggest all elements of the claimed method and medium.

Page 6 of the Office Action alleges that Figs. 5a-5g and col. 12, lines 9-19, of Das et al. teach or suggest “decoding at least the set of slices but not the plurality of slices” and “decoding at least the set of macroblocks but not the plurality of macroblocks” as set forth in claims 4 and 33. The cited portion of Das et al., however, only discloses encoding a certain region of interest, and does not disclose decoding, as explained above with regard to claims 1 and 30.

The only disclosure of decoding in Das et al. is with regard to the decoder in Fig. 15b and the example scheme in Figs. 16a and 16b. These figures are described in cols. 19 and 20 of Das et al., none of which teaches or suggests decoding some slices but not others, and decoding some

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macroblocks but not others, as set forth in claims 4 and 33. Thus, the cited portion of Das et al., and the rest of Das et al., fails to teach or suggest “decoding at least the set of slices but not the plurality of slices into a plurality of macroblocks having a set of macroblocks within the area; and decoding at least the set of macroblocks but not the plurality of macroblocks into pixels” as required by claims 4 and 33.

Because the combination of Koyanagi et al. and Das et al. fails to teach or suggest all elements of independent claims 4 and 33, a *prima facie* case of obviousness has not been established for these claims.

A *prima facie* case of obviousness also has not been established for claims 4 and 33, because no motivation or suggestion has been shown to combine Koyanagi et al. and Das et al.. Page 6 of the Office Action proposes only that the combination would “improve[] video quality,” which is an unsupported conclusion. No evidence from either reference or other technical reasoning has been provided to support this conclusion. Without any supporting evidence or facts, a *prima facie* case of obviousness cannot be established. See M.P.E.P. § 2142 (“The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness.”). A *prima facie* case of obviousness also has not been established for claims 4 and 33 for at least this additional reason.

Because a *prima facie* case of obviousness has not been established for claims 4 and 33, the § 103(a) rejections of claims 1, 13, and 30 are improper and should be withdrawn. Claims 5, 6, 34, and 35 are allowable at least by virtue of their dependency from claims 4 and 33.

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Claims 7-9 and 36-38:

Applicant respectfully traverses the § 103(a) rejection of claims 7-9 and 36-38 over Krishnamurthy et al. Independent claims 7 and 36, as amended, require a method and medium including, *inter alia*, “transmitting the second substream to a second recipient that is different than the first recipient.” The modification of Krishnamurthy et al., even if it were proper, fails to teach or suggest all elements of the claimed method and medium.

Krishnamurthy et al. fails to teach or suggest transmitting a second substream to a second recipient that is different than a first recipient of a first substream. To the contrary, various embodiments of Krishnamurthy et al. appear to contemplate a single recipient for all transmitted substreams. See, for example, col. 4, lines 42, 43, and 60 (“where the compositing function is left with *the decoder*.” (emphasis added)). Hence, a *prima facie* case of obviousness cannot be established for claims 7 and 36 as amended, because Krishnamurthy et al. as modified fails to teach or suggest all elements of the claims. The § 103(a) rejection of claims 7 and 36 should be withdrawn.

Because a *prima facie* case of obviousness cannot be established for claims 7 and 36 over Krishnamurthy et al., the § 103(a) rejections of claims 7 and 36 are improper and should be withdrawn. Claims 8, 9, 37, and 38 are allowable at least by virtue of their dependency from claims 7 and 36.

Reconsideration and allowance of pending claims 1-9, 13-18, and 30-38 is respectfully requested.


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In the event that any outstanding matters remain in this application, Applicant requests that the Examiner contact Alan Pedersen-Giles, attorney for Applicant, at the number below to discuss such matters.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0221 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Alan Pedersen-Giles
Registration No. 39,996

c/o Intel Americas
LF3
4030 Lafayette Center Drive
Chantilly, VA 20151
(703) 633-1061